

**FILED**

NOV 25 1997

R. BRAD BURGER

County Court At Law #2 Smith Co., Tx.  
By Deputy

NO. 96-2651-F

IN THE MATTER OF  
THE MARRIAGE OF

JAMES EVERETT CLICK

AND

CAROLYN RUTH CLICK

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§

IN THE COUNTY COURT AT LAW # 2

IN AND FOR County Court At Law #2 Smith Co., Tx.

SMITH COUNTY, TEXAS

JUDGMENT NUNC PRO TUNC  
FINAL DECREE OF DIVORCE

On \_\_\_\_\_, 1997, this case came on for hearing.

Appearances

Petitioner, James Everett Click, Social Security number 308-38-2482, Texas Driver's License number 05713895, appeared in person and through attorney of record, E.Buddy Rogers. Respondent, Carolyn Ruth Click, Social Security number unknown, Texas drivers license number unknown, has made a general appearance herein and has agreed to the terms of this judgment to the extent permitted by law, as evidenced by the signatures of Respondent and attorney for Respondent appearing below.

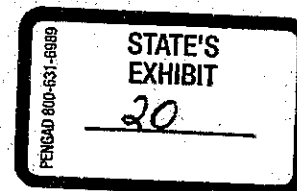
The record of testimony was duly reported by \_\_\_\_\_, court reporter.

Jurisdiction and Domicile

The Court finds that the pleadings of Petitioner are in due form and contain all the allegations, information, and prerequisites required by law. The Court, after receiving evidence, finds that it has jurisdiction over this cause of action and the parties and that at least 60 days have elapsed since the date the suit was filed. The Court finds Petitioner has been a domiciliary

Decree of Divorce  
Dec-Div.842

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V65  
P749  
752

STATE OF TEXAS - COUNTY OF SMITH

I, Lois Rogers, District Clerk of Smith County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession, as appears of record in Vol. \_\_\_\_\_ Page \_\_\_\_\_ Minutes of said Court on file in my office.

Witness my official hand and seal of office on this date: 8/2/04

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By: ECraft Deputy

of this state for at least a six-month period preceding the filing of this action and a resident of the county in which this suit is filed for at least a 90-day period preceding the filing of this action. All persons entitled to citation were properly cited.

Jury

A jury was waived, and all questions of fact and of law were submitted to the Court.

Agreement of Parties

The parties have consented to the terms of this decree and stipulated that the provisions for division of assets and liabilities are contractual.

Divorce

IT IS ORDERED AND DECREED that James Everett Click, Petitioner, and Carolyn Ruth Click, Respondent, are divorced and that the marriage between them is dissolved.

Child(ren) of the Marriage

The Court finds that there is no child of the marriage and that none is expected.

Division of Marital Estate

The Court finds that no community property other than personal effects has been accumulated by the parties.

The Court finds that the following is a just and right division of the parties' marital estate, having due regard for the rights of each party:

IT IS ORDERED AND DECREED that the estate of the parties is divided as follows:

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Petitioner is awarded the following as Petitioner's sole and separate property, and Respondent is hereby divested of all right, title, interest, and claim in and to such property:

[1.] All household furniture, furnishings, fixtures, goods, appliances, and equipment in the possession of or subject to the sole control of Petitioner.

[2.] All clothing, jewelry, and other personal effects in the possession of or subject to the sole control of Petitioner.

[3.] Any and all sums of cash in the possession of or subject to the sole control of Petitioner, including money on account in banks, savings institutions, or other financial institutions, which accounts stand in Petitioner's sole name or from which Petitioner has the sole right to withdraw funds or which are subject to Petitioner's sole control.

[4.] Any and all policies of life insurance (including cash values) insuring the life of Petitioner.

[5.] The 1986 Dodge pickup truck, together with all prepaid insurance, keys, and title documents, and any debt thereagainst.

Respondent is awarded the following as Respondent's sole and separate property, and Petitioner is hereby divested of all right, title, interest, and claim in and to such property:

[1.] All household furniture, furnishings, fixtures, goods, appliances, and equipment in the possession of or subject to the sole control of Respondent.

[2.] All clothing, jewelry, and other personal effects in the possession of or subject to the sole control of Respondent.

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[3.] Any and all sums of cash in the possession of or subject to the sole control of Petitioner, including money on account in banks, savings institutions, or other financial institutions, which accounts stand in Respondent's sole name or from which Respondent has the sole right to withdraw funds or which are subject to Respondent's sole control.

[4.] Any and all policies of life insurance (including cash values) insuring the life of Respondent.

[5.] The 1981 Ford Mustang motor vehicle, together with all prepaid insurance, keys, and title documents, and the debt thereagainst.

IT IS ORDERED AND DECREED that Petitioner shall pay, as a part of the division of the estate of the parties, the following and shall indemnify and hold Respondent and Respondent's property harmless from any failure to so discharge these items:

[1.] Any and all debts, charges, liabilities, and other obligations incurred (solely) by Petitioner from and after November 25, 1995, unless express provision is made in this decree to the contrary.

IT IS ORDERED AND DECREED that Respondent shall pay, as a part of the division of the estate of the parties, the following and shall indemnify and hold Petitioner and Petitioner's property harmless from any failure to so discharge these items:

[1.] Any and all debts, charges, liabilities, and other obligations incurred (solely) by Respondent from and after November

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25, 1995, unless express provision is made in this decree to the contrary.

[2.] All encumbrances, ad valorem taxes, liens, assessments, or other charges due or to become due on the real and personal property awarded to Respondent in this decree unless express provision is made herein to the contrary.

IT IS FURTHER ORDERED AND DECREED, as a part of the division of the estate of the parties, that any community liability not expressly assumed by a party under this decree is to be paid by the party incurring the liability.

IT IS ORDERED AND DECREED that each party shall send to the other party, within three days of its receipt, a copy of any correspondence from a creditor or taxing authority concerning any potential liability of the other party.

Attorney's Fees. To effect an equitable division of the estate of the parties and as a part of the division, each party shall be responsible for his or her own attorney's fees incurred as a result of legal representation in this case.

Federal Income Taxes. IT IS ORDERED AND DECREED that Petitioner shall be responsible for all federal income tax liabilities of the parties from the date of marriage through the date of the divorce.

IT IS FURTHER ORDERED AND DECREED that James Everett Click and Carolyn Ruth Click shall furnish such information to the other party as is requested to prepare federal income tax returns for each party for the year in which this divorce decree is entered,

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and in no event shall such information be exchanged later than March 1 of the year following the year in which this divorce decree is entered. Each party shall pay for the preparation of his or her own tax return for the year in which this divorce decree is entered.

IT IS FURTHER ORDERED AND DECREED that each party shall keep and preserve for a period of four years from the date of divorce all financial records relating to the community estate, and each party is ORDERED AND DECREED to allow the other party access to these records in the event of any tax audits.

Confirmation of Separate Property.

IT IS FURTHER ORDERED AND DECREED that the following described property is confirmed as the separate property of Carolyn Ruth Click:

1. The following real property, including but not limited to any escrow funds, prepaid insurance, utility deposits, keys, house plans, warranties and service contracts, and title and closing documents:

Mobile home on Lot 30, Crestview Edition, located at 18853 CR 2323, Whitehouse, Texas 75791.

IT IS ORDERED AND DECREED that no provision of this decree shall be construed as alimony under the Internal Revenue Code. No provision of this decree is intended to be interpreted as providing for taxable alimony.

Costs of court are to be borne by the party by whom such costs were incurred.

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Clarifying Orders

Without affecting the finality of this Decree of Divorce, this Court expressly reserves the right to make orders necessary to clarify and enforce this decree.

Relief Not Granted

IT IS ORDERED AND DECREED that all relief requested in this cause and not expressly granted is denied.

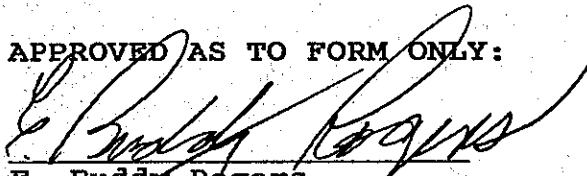
Date of Judgment


SIGNED on November 19, 1997.

  
JUDGE PRESIDING

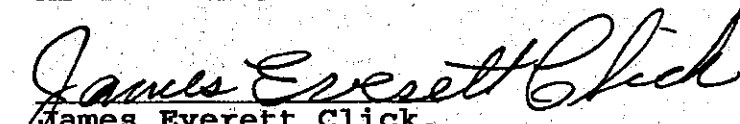
*Senior District Judge, 90th  
Judicial District, assigned  
to the County Court at Law #12*


APPROVED AS TO FORM ONLY:

  
E. Buddy Rogers,  
Attorney for Petitioner

  
Carolyn Ruth Click, Pro Se

APPROVED AND CONSENTED TO  
AS TO BOTH FORM AND SUBSTANCE:

  
James Everett Click,  
Petitioner

  
Carolyn Ruth Click,  
Respondent

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